

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

WILLIAM DUPREE SMITH,

Petitioner,

v.

ORDER
10-CV-901A

SUPERINTENDENT OF THE
WENDE CORRECTIONAL FACILITY,

Respondent.

The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(B). On January 13, 2015, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that the petition for writ of *habeas corpus* (Dkt. No. 10) filed by William Dupree Smith be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, the petition for writ of *habeas corpus* is denied.

The Clerk of Court shall take all steps necessary to close the case.

IT IS SO ORDERED.

Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: March 9, 2015